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at 3 p.m.
New York

SUMMARY RECORD OF THE 56th MEETING

Chairman: Mr. TSHERING (Bhutan)

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The meeting was called to order at 3.45 p.m.

AGENDA ITEM 112: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/C.3/50/L.47/Rev.1)

Draft resolution A/C.3/50/L.47/Rev.1: "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights"

1. Mr. SPLINTER (Canada), introducing the draft resolution on behalf of the original sponsors and Albania, Argentina, Australia, Ireland, Malta, the Netherlands, New Zealand, the Republic of Korea and Spain, announced some changes to the text. The final part of paragraph 22, from the words "noting the recommendations ...", should be inserted between the third and fourth preambular paragraphs as a new preambular paragraph reading "Noting the recommendations ... from 3 to 7 July 1995,". In the second line of the new eighth preambular paragraph, the word "mandate" should be plural. In the second line of paragraph 17, the words "treaty bodies" should be inserted between "that" and "urges" and the "s" of "urges" should be deleted. In the second line of paragraph 21, an apostrophe should be added after the word "States". Paragraph 22 should end at "competence of its mandate;". He outlined the main points of the draft resolution, stressing that its aim was to enhance the implementation of human rights instruments. The draft resolution had been updated and included some new elements. The sponsors hoped that, as in the past, it would be adopted without a vote.

AGENDA ITEM 165: IMPLEMENTATION OF THE OUTCOME OF THE FOURTH WORLD CONFERENCE ON WOMEN: ACTION FOR EQUALITY, DEVELOPMENT AND PEACE (continued) (A/C.3/50/L.64 and A/C.3/50/L.68)

Draft resolution A/C.3/50/L.64: "Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action" and document A/C.3/50/L.68: "Programme budget implications of draft resolution A/C.3/50/L.64"

2. The CHAIRMAN recalled that the draft resolution was being submitted as a Chairman's text, in accordance with the decision taken by the Committee. He drew attention to the statement of its programme budget implications contained in document A/C.3/50/L.68.

3. Draft resolution A/C.3/50/L.64 was adopted without a vote.

4. Mr. KIRKLAND (United States) said that his Government fully supported the outcome of the Fourth World Conference on Women and that he had joined in the consensus on the draft resolution on condition that the requisite expenditures would be financed from existing appropriations in the United Nations regular budget.

5. The CHAIRMAN announced that the Committee had concluded its consideration of agenda item 165.

AGENDA ITEM 112: HUMAN RIGHTS QUESTIONS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/50/L.51/Rev.1 and A/C.3/50/L.61/Rev.1)

Draft resolution A/C.3/50/L.51/Rev.1: "Importance of human rights in the early warning and prevention of mass exoduses and in the emergency operations of the United Nations"

6. The CHAIRMAN said that the draft resolution had no programme budget implications and that Côte d'Ivoire, New Zealand, Norway, the Philippines and South Africa had become sponsors.

7. Mr. SPLINTER (Canada) announced some changes to the text. The title of the draft resolution should read "Human rights and mass exoduses". In the fifth preambular paragraph, the words from "with the purpose ..." to the end should be deleted. The ninth preambular paragraph should be deleted. In the third line of paragraph 5, the words ", as applicable," should be inserted between "regional refugee instruments" and "and relevant international human rights instruments". In the fourth line of paragraph 6, the word "welcomes" should be replaced by "takes note of". In the sixth line of paragraph 10, the words "human rights abuses" should be replaced by "multiple and complex factors, including human rights violations,". In the first line of paragraph 11, "Also invites" should be replaced by "Requests". Costa Rica, Georgia, Greece, Israel, the Netherlands, New Zealand, the Russian Federation, Spain and the United Kingdom had become sponsors.

8. Draft resolution A/C.3/50/L.51/Rev.1, as orally revised, was adopted.

Draft resolution A/C.3/50/L.61/Rev.1: "Human rights and terrorism"

9. The CHAIRMAN announced that the draft resolution had no programme budget implications.

10. Mr. ARDA (Turkey) said that Rwanda had become a sponsor. In order to reach a consensus, the following change to the text was proposed: in the third line of paragraph 4, after the words "the fight against terrorism", the words ", in accordance with the relevant international instruments, including those relating to human rights," should be added. The draft resolution in no way altered the right of peoples under colonial or other domination or alien occupation to resort to legitimate action in order to secure respect for their inalienable right to self-determination, in accordance with the principles enshrined in the Charter of the United Nations and the recommendations in the relevant resolutions of the General Assembly. That reservation should not, however, be interpreted as sanctioning or encouraging acts which, partially or completely, undermined the territorial integrity or political unity of sovereign or independent States. The sponsors hoped that the draft resolution would be adopted without a vote.

11. Mr. NUÑEZ (Spain), speaking on behalf of the European Union, recalled that, in its statement to the Sixth Committee, the European Union had reaffirmed its support for the Declaration on Measures to Eliminate International Terrorism contained in the annex to General Assembly resolution 49/60. Terrorism was a threat to democracy and the fight against it was a matter of the highest priority, as the ministers of justice and of the interior of the European Union, meeting at La Gomera in October, had emphasized. No State could invoke the fight against terrorism to justify human rights violations and the European Union could not endorse the assertion that terrorist acts as such constituted human rights violations. It welcomed, therefore, the wording of the fourteenth preambular paragraph and paragraph 4. It also wished to emphasize that the tenth preambular paragraph did not confer on terrorists any status under international law. It was essential to distinguish between acts attributable to States and criminal acts that were not. Although it had been the scene of numerous acts perpetrated by terrorist groups, the European Union continued to have reservations as to whether the establishment of a voluntary fund for victims of terrorism was the most effective way of helping them. While it still believed that the question of terrorism was best considered by the Sixth Committee, the European Union would, nevertheless join in the consensus on the draft resolution, as orally revised.

12. Mr. COLOMA (Chile) said that Chile was joining in the consensus but had reservations about the tenth preambular paragraph. Chile was firmly convinced that respect for or the violation of human rights was necessarily an institutional matter. Consequently, the affirmation that criminal acts perpetrated by terrorist groups constituted human rights violations could have grave consequences for the international system for the protection of human rights, since it might diminish the responsibility of States.

13. Draft resolution A/C.3/50/L.61/Rev.1, as orally revised, was adopted without a vote.

14. Mrs. ESPINOSA (Mexico) said that Mexico vigorously condemned terrorist acts which destabilized States. It had therefore supported the draft resolution. Her Government recognized that terrorist acts had an adverse effect on the promotion and protection of human rights. It was concerned, however, that the resolution established a link between terrorist acts and human rights by defining such acts as human rights violations rather than as criminal acts. Mexico believed that it was essential to make a conceptual and legal distinction between human rights violations and criminal acts in order to combat those crimes effectively.

15. Mr. KHAN (Pakistan) said that Pakistan resolutely opposed terrorism in all its forms and manifestations. It strongly condemned all acts, methods and practices of terrorism wherever and by whomsoever committed. It shared the desire of the international community for close cooperation to prevent, combat and eliminate that scourge. Pakistan believed, however, that a clear distinction should be made between acts of terrorism committed against legitimately constituted States and the legitimate struggle of peoples under colonial or alien domination or foreign occupation to realize their inalienable right to self-determination. That right was enshrined in many United Nations resolutions and declarations and had been reaffirmed by the Non-Aligned Movement

(NAM) in Cartagena. While the draft resolution could have enunciated that principle more clearly, Pakistan was joining the consensus, having received the assurances of the sponsors that the draft resolution was without prejudice to the right of peoples to self-determination.

16. Mr. AASS (Norway) said that his delegation was joining the consensus, even though it considered that the question of terrorism came within the competence of the Sixth Committee. Only States could be held accountable for violations of human rights and fundamental freedoms, or of international law. Instead of attempting to determine whether or not terrorists were guilty of violating the human rights of the victims of their criminal acts, the international community should gear its efforts to finding the most effective method of combating international terrorism.

17. Mr. BOUCHMARINOV (Russian Federation) said that he shared the concern of the draft resolution's sponsors and strongly condemned the acts of terrorist groups which undermined public security in the territory of a wide variety of States, including the Russian Federation. However, he wished to join those delegations which had expressed reservations, for he did not consider terrorism to be a violation of human rights - for which States alone could be held accountable - but a form of organized crime which, as such, should be punished under penal law and combatted on that basis.

AGENDA ITEM 112: HUMAN RIGHTS QUESTIONS (continued)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/C.3/50/L.44, L.45, L.54, L.58 and L.60)

Draft resolution A/C.3/50/L.44: Situation of human rights in Iraq

18. The CHAIRMAN announced that the draft resolution had no programme budget implications and that the following countries had joined the sponsors: Andorra, Argentina, Australia, Canada, Czech Republic, Hungary, Iceland, Israel, Japan, Kuwait, Liechtenstein, Monaco, Norway, Poland and the United States of America.

19. Ms. NEWELL (Secretary of the Committee) read out the following revisions: in the thirteenth preambular paragraph, the words "or detained" should be inserted after "missing"; in paragraph 11, the word "resolve" should be replaced by "resolving" and the words "Kuwaitis and third country nationals who disappeared under the" should be replaced by "missing persons and prisoners of war, Kuwaitis and third-country nationals, victims of".

20. Mr. RODRIGUEZ (Spain) said that, in the eighth preambular paragraph, the words "687 (1991) of 3 April 1991" should be added after "resolutions".

21. Mr. AL-DOURI (Iraq) said that he wondered about the motives of the draft resolution's sponsors. If they were genuinely concerned for human rights, they should first have condemned the Security Council which was responsible for the sufferings of the Iraqi people and, through its sanctions, was violating their most sacred right, the right to life, by depriving them of food, access to health care and education, and the right to work. He wished to refute the allegations made against his Government in the draft resolution; the latter had

been prepared at the behest of countries well known for their hostile political attitude towards Iraq and their lack of neutrality. The allegations were simply repetitions of those made in the report of the Special Rapporteur (A/50/734) which were entirely groundless and lacking in objectivity and were refuted in numerous reports by United Nations agencies and non-governmental humanitarian organizations.

22. Thus, contrary to what was implied in the seventh preambular paragraph, Iraq had been cooperating for several years with international organizations such as the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross, which was active throughout Iraqi territory. Moreover, not content with falsely accusing Iraq in the tenth preambular paragraph of summary executions, arbitrary detention and torture, with the sole aim of tarnishing the country's reputation, the sponsors had neglected to mention the positive developments that had occurred in Iraq, including amnesties granted to prisoners and initiatives to strengthen democracy, pluralism and respect for human rights, such as the right to free speech.

23. With regard to the criticisms of Iraq for failing to receive the Special Rapporteur, he pointed out that his country had always cooperated with the United Nations in the human rights field and had always fulfilled its international obligations in that respect, but that it refused to cooperate with a Special Rapporteur whose open hostility was at odds with the integrity, objectivity and political neutrality required by his role.

24. The claim in paragraph 4 that Iraq had refused to sell its oil in order to buy foodstuffs was untrue. It simply rejected Security Council resolution 986 (1995) which violated the principles of national sovereignty and non-interference in the internal affairs of States. If the draft resolution's sponsors were truly concerned about human rights, they would have asked States to unfreeze Iraq's assets so that it could purchase foodstuffs for its population and they would have demanded that the Security Council sanctions should be totally, or at least partially, lifted.

25. As to paragraph 6, in which Iraq was accused of impeding the equitable distribution of foodstuffs among the regions, it was completely divorced from reality as clearly reflected in independent international reports; the latter were eloquent in their praises of the system whereby provisions were delivered to the north, as well as to the centre and the south, without any discrimination.

26. The harsher punishments inflicted for crimes which undermined the country's social stability were intended to stem the rise in crime caused by the sanctions imposed against Iraq, which had previously been known in the region as the country with the lowest level of corruption.

27. As far as missing persons were concerned, Iraq was cooperating closely with the International Committee of the Red Cross, in accordance with the international norms, to discover the fate of those persons and, contrary to what seemed to be suggested in the thirteenth preambular paragraph and paragraph 11, was participating regularly in the work of the Tripartite Commission. There

were no detainees or prisoners of war in Iraq. Furthermore, it must be recalled that those matters fell within the competence of the International Committee of the Red Cross, and not of the Commission on Human Rights or its special rapporteurs.

28. His delegation rejected the draft resolution, particularly the provisions concerning the deployment of human rights monitors throughout Iraqi territory, since those provisions violated the principles of national sovereignty and non-interference in the internal affairs of States and might set an alarming precedent for all countries, particularly developing countries.

29. At the request of the representative of Iraq, a recorded vote was taken on draft resolution A/C.3/50/L.44.

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Haiti, Honduras, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, Syrian Arab Republic, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia.

Against: Gambia, Libyan Arab Jamahiriya, Nigeria, Sudan.

Abstaining: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Benin, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, China, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Guatemala, Guinea-Bissau, India, Indonesia, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Malaysia, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Pakistan, Philippines, Sri Lanka, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zimbabwe.

30. Draft resolution A/C.3/50/L.44, as amended, was adopted by 104 votes to 4, with 49 abstentions.

31. Mr. MEKDAD (Syrian Arab Republic) said that, although he had voted for the draft resolution, he regretted that it dealt selectively with the question of human rights and, in particular, that it requested the establishment of a human rights monitoring system within the borders of a Member State of the United Nations. That constituted interference in the internal affairs of a State, setting a dangerous precedent that was contrary to the purposes and principles of the Charter of the United Nations.

32. Mr. WISSA (Egypt) said that his delegation had abstained in the vote because, while it recognized the need to respect the rights of individuals in all States without discrimination and deplored the violations committed by the Government of Iraq against its population, it also felt that the territorial integrity of Iraq should be respected. Egypt was firmly opposed to any form of interference and believed that each State was sovereign within its own borders, its Government being solely responsible for ensuring the implementation of domestic laws and accountable to its population for its acts. For that reason, if a separate vote had been taken on paragraph 12 of the draft resolution, requesting the deployment of human rights monitors to Iraq, his country would have voted against it. He hoped that Iraq would meet its obligations under the International Covenants and would respect the rights of its population.

Draft resolution A/C.3/50/L.45: "Rape and abuse of women in the areas of armed conflict in the former Yugoslavia"

33. The CHAIRMAN informed the Committee that the draft resolution had no programme budget implications and that the following countries had become sponsors: Afghanistan, Australia, Bahrain, Brunei Darussalam, Burundi, Cambodia, the Czech Republic, Gabon, Gambia, Iran, (Islamic Republic of), Jordan, Malta, the Philippines, the Republic of Korea, Rwanda, San Marino, Senegal, Singapore and Yemen.

34. Ms. NEWELL (Secretary of the Committee) read out an oral revision to the draft resolution: in paragraph 12, the words ", as appropriate, to the fifty-first session of the General Assembly" should be inserted after the word "report".

35. Ms. SAPCANIN (Bosnia and Herzegovina) announced that Azerbaijan, New Zealand, the former Yugoslav Republic of Macedonia and the United Kingdom had become sponsors of the draft resolution.

36. At the request of the representative of the Russian Federation, a recorded vote was taken on the sixth preambular paragraph of draft resolution A/C.3/50/L/45.

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Canada, Cape Verde, Chad, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Gambia,

Georgia, Germany, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Rwanda, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen.

Against: Russian Federation.

Abstaining: Angola, Cameroon, China, Ethiopia, Ghana, India, Kenya, Thailand, Togo, United Republic of Tanzania, Zimbabwe.

37. The sixth preambular paragraph of draft resolution A/C.3/50/L.45 was adopted by 133 votes to 1, with 11 abstentions.

38. Draft resolution A/C.3/50/L.45, as orally revised, was adopted without a vote.

39. Mr. BOUCHMARINOV (Russian Federation) said that, given the importance of the issue and in view of the decisions taken at the Beijing Conference, his delegation had decided to go along with the consensus. However, from reading the resolution, one might think that only one of the parties to the conflict in the territory of former Yugoslavia was guilty of the crime in question. The sponsors could have produced a more balanced text if they had referred to the finding of the documents requested by the General Assembly in 1994, in which the Secretary-General had stated that the information available showed that rapes were being committed by both parties to the conflict. That was why his delegation had requested a recorded vote on the sixth preambular paragraph and had voted against it. His delegation's position, which was well known, was that it was essential to combat that heinous practice but that it must be tackled impartially and all those guilty of rape must be condemned, irrespective of their nationality and of where the crime had been committed. His delegation hoped that the current emotional attitude would give way in future to a more objective approach.

Draft resolution A/C.3/50/L.54: "Protection of and assistance to internally displaced persons"

40. The CHAIRMAN announced that the draft resolution had no programme budget implications and that Benin, France and the Philippines had become sponsors.

41. Ms. NEWELL (Secretary of the Committee) read out a correction to the text: in paragraph 8, the words "such as a declaration for internally displaced persons," should be deleted.

42. Mr. ROSNES (Norway), introducing the draft resolution on behalf of the sponsors, said that Burundi and San Marino had also become sponsors. Several revisions had been made to the text: in the seventh preambular paragraph, the words "Encouraged by" should be replaced by "Noting"; in paragraph 3, the word "legal" should be deleted; in paragraph 6, the words ", with the approval of Governments," should be added after "invite" and the words "as well as" should be replaced by "and to make use of". It had not been possible to discuss all those changes with all the sponsors, but the aim was to facilitate a consensus.

43. The CHAIRMAN said that Albania, Angola, Cambodia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Equatorial Guinea, Gambia, Ireland, Liberia, Malta, Monaco, Nicaragua, the Republic of Korea, the Republic of Moldova, Sierra Leone and Uganda had become sponsors of the draft resolution.

44. Draft resolution A/C.3/50/L.54, as orally revised, was adopted without a vote.

Draft resolution A/C.3/50/L.58: "Situation of human rights in the Sudan"

45. The CHAIRMAN announced that the draft resolution had no programme budget implications and that Belgium, France, Guatemala, Monaco and the Netherlands had become sponsors.

46. Mr. KIRKLAND (United States) said that Liechtenstein and Portugal had also become sponsors.

47. Mr. NOGUERA (Guatemala) said that his delegation had been listed in error among the sponsors.

48. Mr. THEUERMANN (Austria) recalled that his delegation had been among the sponsors when the draft resolution had been introduced.

49. The CHAIRMAN informed the members of the Committee that the delegation of the Sudan had requested separate votes on paragraphs 2, 4 and 12 and on the draft resolution as a whole.

Paragraph 2

50. Ms. WAHBE (Sudan) said that paragraph 2 referred to concepts such as slavery, servitude, slave trade, forced labour and similar practices. No case of any such practices had been brought to the attention of her Government, nor had any been cited in the Special Rapporteur's report. Her Government condemned slavery and any similar practice, which were contrary to its religion and values and were punishable under the Penal Code of 1991. The Sudan was a multicultural, multiracial and multireligious society and its Government respected that diversity, which it considered a source of enrichment. The association of slavery with the Sudan was an attempt to destabilize the Government and divide the country. She urged all States which were concerned to

preserve the unity of the Sudan and of any pluralistic country to vote against the paragraph.

51. A recorded vote was taken on paragraph 2 of draft resolution A/C.3/50/L.58.

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zambia, Zimbabwe.

Against: China, Cuba, Democratic People's Republic of Korea, India, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mauritania, Myanmar, Nigeria, Pakistan, Saudi Arabia, Sudan, Syrian Arab Republic.

Abstaining: Algeria, Angola, Bahamas, Bangladesh, Barbados, Belize, Benin, Bhutan, Brunei Darussalam, Burundi, Cameroon, Cape Verde, Chad, Colombia, Congo, Ecuador, Egypt, Equatorial Guinea, Gambia, Ghana, Guatemala, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Malaysia, Morocco, Nepal, Niger, Oman, Philippines, Qatar, Republic of Korea, Sri Lanka, Swaziland, Thailand, Togo, Tunisia, United Arab Emirates, Uzbekistan, Viet Nam.

52. Paragraph 2 of the draft resolution was adopted by 83 votes to 14, with 44 abstentions.

Paragraph 4

53. Ms. WAHBI (Sudan) said that the idea advanced in paragraph 4, namely the placement of human rights monitors in the Sudan, was dangerous since it attempted to institutionalize interference in the internal affairs of the Sudan, which contradicted the provisions of Chapter I, Article 2 of the Charter. In addition to its financial implications, such a deployment would duplicate the duties of the Special Rapporteur. Moreover, all relevant information about the Sudan had already been made available, since the Sudan had opened its doors to a number of international organizations, non-governmental organizations and private institutions. The Sudan therefore dissociated itself from paragraph 4 and urged all States to do likewise.

54. A recorded vote was taken on paragraph 4 of draft resolution A/C.3/50/L.58.

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zambia, Zimbabwe.

Against: Afghanistan, China, Cuba, Egypt, India, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mauritania, Myanmar, Pakistan, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Viet Nam.

Abstaining: Algeria, Angola, Bangladesh, Belize, Bhutan, Brunei Darussalam, Burundi, Cameroon, Cape Verde, Chad, Colombia, Congo, Democratic People's Republic of Korea, Equatorial Guinea, Gambia, Ghana, Guatemala, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Malaysia, Morocco, Nepal, Niger, Oman, Philippines, Republic of Korea, Saint Kitts and Nevis, Singapore, Sri Lanka, Swaziland, Thailand, Tunisia, United Arab Emirates, Uzbekistan.

55. Paragraph 4 of the draft resolution was adopted by 86 votes to 16, with 40 abstentions.

Paragraph 12

56. Ms. WAHBI (Sudan) said that her Government had cooperated with the Special Rapporteur in 1993, but his reaction had been a direct insult to the people of the Sudan and their religious heritage. Her Government would be prepared to cooperate once again with the Special Rapporteur if he withdrew his insulting remarks, which he had not done to date. Regarding the alleged threats that had been made against the Special Rapporteur personally, her delegation had contacted the sponsors of the draft resolution in order to inform them that the allegations were entirely unfounded and she regretted that the sponsors had persisted in referring to those threats in the text. She urged all delegations to vote against the paragraph.

57. A recorded vote was taken on paragraph 12 of draft resolution A/C.3/50/L.58.

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Bolivia, Botswana, Brazil, Bulgaria, Cameroon, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia, Zimbabwe.

Against: Afghanistan, China, Cuba, Democratic People's Republic of Korea, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Myanmar, Nigeria, Pakistan, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Viet Nam.

Abstaining: Algeria, Angola, Bangladesh, Belize, Benin, Bhutan, Brunei Darussalam, Burundi, Cape Verde, Chad, Colombia, Egypt, Equatorial Guinea, Gambia, Ghana, Guatemala, Indonesia, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Malaysia, Mauritania, Morocco, Nepal, Niger, Oman, Philippines, Republic of Korea, Saint Kitts and Nevis, Singapore, Sri Lanka, Swaziland, Thailand, Tunisia, United Arab Emirates.

58. Paragraph 12 of the draft resolution was adopted by 87 votes to 15, with 40 abstentions.

59. Mr. WISSA (Egypt) said that his delegation was firmly committed to respect for human rights in all countries and therefore deplored any violation committed by the Sudanese Government. His Government had strongly urged its neighbour to refrain from committing any action that might cause tension in the region or support acts of terrorism. His Government acknowledged the importance of preserving the unity and territorial integrity of the Sudan. He believed that every country was sovereign within its own borders and should be held responsible for the laws it applied. His delegation was firmly opposed to any interference in the internal affairs of countries, which explained why it had voted against paragraph 4 of the draft resolution. Finally, he hoped that the Sudanese Government would respect its obligations under international human rights instruments and that it would maintain good-neighbourly relations in order to secure peace and stability in the region.

Draft resolution A/C.3/50/L.58 as a whole

60. Ms. WAHBI (Sudan), speaking in explanation of vote before the voting, said that the Sudanese delegation completely rejected draft resolution A/C.3/50/L.58. As with previous resolutions on the Sudan, the current draft served the political ends of certain countries and had been targeted against the Sudan and its people. It contained no new ideas and aimed neither to promote nor to protect human rights in her country. The noble principle of human rights was being used by some major Powers to practise a new form of neocolonialism against certain non-compliant countries.

61. Had there been genuine concern for human rights in the Sudan, it would have been better to focus on eliminating the obstacles to peace and to give priority to life by supplying the population with unconditional assistance in order to create a better economic climate that would ensure the survival of the population; the undeclared economic embargo being exercised by certain Powers should therefore be discontinued.

62. The draft resolution was just a rehashed version of the report of the Special Rapporteur (A/50/569), the defects, omissions and subjective character of which had been analysed in detail by her delegation in document A/C.3/50/10. The draft resolution could not therefore be any more credible than the report itself.

63. The draft resolution had deliberately ignored the tremendous efforts made by the Sudanese Government to promote human rights in the country. It had misrepresented facts and peddled baseless allegations and accusations. It had also given a misleading impression of the attitude of the Sudanese Government to the Special Rapporteur. Her delegation had already explained its official position on the matter to the Committee, namely that it had absolutely no intention of threatening the Special Rapporteur either directly or indirectly. The sponsors of the draft resolution had persisted in ignoring those repeated explanations. The resolution welcomed the deployment of human rights monitors in the country, but that would be an exercise in futility since (a) the Sudan was open to any person or group of people who were genuinely concerned to know about the situation which really prevailed in the country; (b) the Sudan was cooperating and would continue to cooperate with intergovernmental and non-governmental organizations, and also with human rights organizations; it had adopted an attitude of transparency in that regard. Finally, the existence of United Nations agencies and other foreign institutions could provide information about the country.

64. The draft resolution had confused the atrocities committed by the rebel movement in the southern Sudan with the efforts of the Sudanese Government to protect its people in the south as in the rest of the country. The resolution was designed to attack the Government's efforts to preserve the national integrity of the country. The Sudan reaffirmed its commitment to protect all human rights and to apply the provisions of all human rights instruments to which it was a party. Her delegation strongly urged States to dissociate themselves from the unjust, impartial and selective resolution currently before the Committee.

65. Mr. AL-DOURI (Iraq) said that his delegation could not vote on draft resolutions submitted to the Third Committee because his country had not been able to pay its contributions for lack of the necessary currency. The economic embargo had therefore had negative consequences on both the national and international level. However, if Iraq had been allowed to vote, it would have voted against draft resolutions A/C.3/50/L.58, L.60 and L.66.

66. Mr. AL-MAHMOUD (Qatar) said that his delegation would vote against the draft resolution. He wished to make it clear that, when the vote on paragraph 2 had been taken, his delegation had abstained whereas it had intended to vote against.

67. A recorded vote was taken on the whole of draft resolution A/C.3/50/L.58 as a whole.

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Belize, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia, Zimbabwe.

Against: Afghanistan, China, Cuba, India, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Myanmar, Nigeria, Pakistan, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Viet Nam.

Abstaining: Algeria, Angola, Bahrain, Bangladesh, Benin, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Colombia, Congo, Côte d'Ivoire, Democratic People's Republic of Korea, Equatorial Guinea, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Nepal, Niger, Oman, Philippines, Republic of Korea, Saint Kitts and Nevis, Sri Lanka, Swaziland, Thailand, Togo, Tunisia, United Arab Emirates.

68. Draft resolution A/C.3/50/L.58 as a whole was adopted by 93 votes to 15, with 47 abstentions.

69. Mr. NOGUERA (Guatemala) said that a United Nations mission had been deployed in Guatemala to monitor the observance of human rights by the security forces and other emergency authorities. His delegation was in favour of the existence of similar missions in other countries, and his abstention regarding paragraphs 2, 4 and 12 was not in contradiction with that position but reflected a desire for consistency with his delegation's decision to abstain on the resolution as a whole. His delegation, however, supported conducting international investigations of all forms of human rights violations.

70. Mr. BOUCHMARINOV (Russian Federation), speaking in explanation of vote before the voting, said that his delegation had voted in favour of the draft resolution as a whole; however, he emphasized that in the past year the Government had implemented measures which, generally speaking, followed up the recommendation made by the General Assembly at its forty-ninth session. His Government had been gratified to learn that the Sudanese Government intended to organize parliamentary elections in 1996 and that it had decided to free prisoners, particularly the opponents of the regime. He hoped that the Government would soon take other measures to establish the rule of law and to respect fundamental rights and freedoms and that its efforts would be acknowledged by the international community.

Draft resolution A/C.3/50/L.60: "Situation of human rights in Cuba"

71. The CHAIRMAN informed the Committee that the draft resolution had no programme budget implications and that Bulgaria and Uzbekistan had joined the sponsors.

72. Mr. KIRKLAND (United States) said that the former Yugoslav Republic of Macedonia had also joined the sponsors of the draft resolution.

73. Mr. FERNÁNDEZ PALACIOS (Cuba), speaking in explanation of vote before the voting, said that the United States delegation was once again inducing the Committee to vote on a draft resolution which reflected the hostile policy of successive United States administrations towards Cuba. His Government had nothing to be ashamed of in the field of human rights, not only because it had established a legal system and created institutions which ensured the enjoyment of those rights by every one of its citizens but also because it continually cooperated with the United Nations system in a spirit of transparency, honesty and good will. He wondered how any credence could be given to a draft resolution presented by the very State that denied the people of Cuba access to food and medicines. Political pressures might prevent the free exercise of the vote at the United Nations, but it could not prevent the truth being known and shared. The draft resolution had been co-sponsored by the United States and its allies as well as a few countries which had been forced by circumstances to take part. He wondered what reasons the delegation of Uzbekistan, for example, could have for supporting the blockade imposed against Cuba and for co-sponsoring the draft resolution.

74. Cuba would none the less continue with its programme of independence and national dignity, as well as the process of transformation based on the will of the people. It would also continue to cooperate with the United Nations, guided by the principles of universality, impartiality, and non-selectivity in the field of human rights in all parts of the world. Cuba would never accept selective, discriminatory and unjust manoeuvres in that area; it would never accept such a draft resolution, or a Special Rapporteur, no matter how neutral and independent he was made to appear. His delegation would therefore vote against the draft resolution.

75. Mrs. CHICAGA (Zambia) said that her delegation had also voted against the resolution on the situation of human rights in Cuba since it was convinced, in principle, that it was more a political issue than a human rights issue. Also, her delegation had listened to and read with interest the report of the Special Rapporteur on the situation of human rights in Cuba (A/50/663) and noted that the Rapporteur himself had expressed optimism concerning the development of the situation. Her delegation would therefore continue to vote against the draft resolution.

76. Mr. JALLOW (Gambia) said that his delegation would, for the first time, vote against the draft resolution. Having carefully examined the development of the situation of human rights in Cuba, Gambia had noted that it had significantly improved, as the Special Rapporteur had indeed pointed out in his report. He believed that, by voting against the draft resolution, his delegation would recognize the efforts made by Cuba and encourage it to continue moving forward.

77. A recorded vote was taken on draft resolution A/C.3/50/L.60.

In favour: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan.

Against: China, Cuba, Democratic People's Republic of Korea, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Myanmar, Namibia, Nigeria, Rwanda, South Africa, Sudan, Syrian Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe.

Abstaining: Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Colombia, Congo, Côte d'Ivoire, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Jamaica, Jordan, Kazakstan, Kenya, Kyrgyzstan, Lebanon, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Nepal, Niger, Oman, Pakistan, Peru, Philippines, Qatar, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sierra Leone, Singapore, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukraine, Uruguay, Venezuela.

78. Draft resolution A/C.3/50/L.60 was adopted by 62 votes to 23, with 73 abstentions.

79. Mrs. MORGAN (Mexico) reiterated her Government's belief that fruitful international cooperation in the field of human rights should be founded on the principles of objectivity and universality of human rights and should take into account their indivisible nature. Those principles had been reaffirmed in the Vienna Declaration and Programme of Action, which provided the necessary framework for balanced and comprehensive international action for the promotion and protection of all human rights. Those principles should be taken into account in the consideration of the situation of human rights in Cuba but, since they did not appear in the draft resolution, her delegation had decided to abstain.

80. Mr. TELLES RIBEIRO (Brazil) said that his delegation had abstained in the vote on the draft resolution for the same reasons for which it had abstained in the vote on the previous resolutions on the same subject. His Government had always considered that, when examining the question of human rights, the General Assembly and its subsidiary organs should take a non-political approach. He welcomed the measures taken by Cuba in the field of human rights and its decision to ratify the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to allow the representatives of non-governmental organizations concerned with human rights to visit Cuba. Already in 1994 Cuba had invited the High Commissioner for Human Rights to visit the country, which demonstrated its desire to maintain close cooperation with United Nations mechanisms for the defence of human rights. Respect for human rights and strict observance of all democratic principles were the nucleus of United Nations activities. Inspired by those values, Brazil would continue to participate in all efforts to protect and promote human rights, to strengthen democratic principles and to improve relations among States.

81. Mr. NSANZE (Burundi) said that his delegation had abstained in the vote on the draft resolution not only because it considered that a distinction should be made between human rights, which were a moral issue, and the politicization of those rights, but also because the draft contained a number of contradictions: the fifth preambular paragraph welcomed the authorization granted to a

delegation comprising representatives of four international human rights organizations to visit Cuba, and paragraph 6 welcomed the ratification by the Government of Cuba of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Government of Cuba should be urged scrupulously to respect human rights, rather than being ostracized, and should be encouraged, in the interest of the United Nations and in its own interest, to take part in the activities of American organizations. It would even be beneficial for all States to lift the embargo. He welcomed the attitude of President Clinton who was seeking to end the embargo despite the obstacles facing him in his own country. Cuba should be encouraged psychologically, democratically and with great sensitivity to take its place in the community of American nations and in the United Nations.

82. Mr. BOUCHMARINOV (Russian Federation) said that, although his delegation had voted for the draft resolution, that did not mean that, in the opinion of his delegation, the text fully reflected the progress which had recently been made in Cuba in the area of human rights. The text should take more account of the measures taken by the Government of Cuba to ensure greater transparency by inviting the High Commissioner for Human Rights, as well as representatives of non-governmental organizations, to visit Cuba, and by establishing links with the European Union and freeing political prisoners. Those measures should serve as a basis for an impartial exchange of views on the observance of human rights in Cuba. His delegation believed that, in the interests of the entire international community, it would be better to give up the current policy of confrontation.

The meeting rose at 6.10 p.m.